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Minutes of a CDA Meeting held by the Town Board of the Town of Riverhead, at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, October 3, 2000, at 7:00 P.M.

Present:

Robert Kozakiewicz,	Chairman
Philip Cardinale,	Member
Christopher Kent,	Member
James Lull,	Member
Edward Densieski,	Member

Also Present:

Andrea Lohneiss,	Director
Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Chairman Kozakiewicz called the meeting to order.

Andrea Lohneiss: "There are two resolutions with regard to the conveyance of land (inaudible)."

Resolution #28

Member Densieski: "Resolution 28 declares lead agency and determines unlisted action with regard to proposed conveyance of land to State University of New York at Stony Brook. So moved."

Member Lull: "Second."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Member Cardinale: "I have a question on this before I vote. Can I speak to the Planning Director just for a minute? Rick, this area is in the- this Resolution, the second clause, says Resolved that the CDA determines that the proposed conveyance is in conformance with the findings statement and is an unlisted action posting no significant impact to either the nature- natural or social environment and that a supplemental impact statement need not be prepared."

Rick Hanley: "Right."

Member Cardinale: "Is- this is in the rec zone, correct?"

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Rick Hanley: "Correct."

Member Cardinale: "And this is going to be an industrial use?"

Rick Hanley: "It would be considered either an office, laboratory/industrial use. I do not believe that the use is expressed within the PRP."

Member Cardinale: "Right."

Rick Hanley: "However, in the generic impact statement, there was mention of this particular use being considered."

Member Cardinale: "In what zone? That's really my ultimate question."

Rick Hanley: "There was no zones established at the point on that impact statement. It was- that impact statement measured the impacts on the plan that HR&A had produced. So we had not (inaudible) ourselves relative to the zoning."

Member Cardinale: "So we anticipated this use but not necessarily in this area of the property."

Rick Hanley: "Right."

Member Cardinale: "Okay. And so when you say that it is in conformance with the aforementioned findings statement, what does that mean?"

Rick Hanley: "It means that the findings statement that was adopted as a result of that GEIS specifically mentioned this kind of a use. However, the location was not specified."

Member Cardinale: "And if we do not study- if we do not do a draft environmental impact statement now- "

Rick Hanley: "Yes."

Member Cardinale: "-- when would the environmental impacts of this project be considered?"

Rick Hanley: "Well, I prepared an EAF for this conveyance strictly on the conveyance- "

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Chairman Kozakiewicz: "And then that's not any different from the other conveyances and designations of sponsorship as well, is that correct?"

Rick Hanley: "I think we've had two other sponsors. I guess the difference being that they were in conformance with the zoning."

Chairman Kozakiewicz: "Right."

Rick Hanley: "One was a Type I action, that was Long Island Water Park because it was disturbance of more than 10 acres. What we did here was dealt with the conveyance in two thresholds, one being the total number of acres being conveyed which is less than 100 so it's unlisted, and the second being the total area on the property to be disturbed we have estimated to be less than 10 acres in size given the data that I received from the IDA."

Member Cardinale: "And did- "

Rick Hanley: "And the 17,000 acre building is contemplated."

Member Cardinale: "Right."

Rick Hanley: "I'm sorry, square foot, with the associated parking."

Member Cardinale: "The caption indicates that we're declaring it as an unlisted action- "

Rick Hanley: "Yes."

Member Cardinale: "-- the proposed conveyance- "

Rick Hanley: "The conveyance."

Member Cardinale: "But- "

Rick Hanley: "I have no information on the impacts or any measurements of the environmental impacts associated with the actual incubator itself."

Member Cardinale: "I guess that's really my real question. My question is I have no problem with doing this on the conveyance- "

Rick Hanley: "Right."

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Member Cardinale: "-- but when we're talking about a 17,000 square foot building in a recreational zone which is being used for an industrial laboratory use, it would seem to me that- and when we don't have an assurance from the applicant that there's going to be compliance with site plan or any other zoning provisions, when do we study the environment, if not now? The environmental implications."

Rick Hanley: "I would think that the applicant would have to show you why they are exempt or excluded from SEQRA. I think you would need an opinion of counsel in that regard because I'm not clear on which actions of the state are, in fact, either exempt or excluded. I know that the legislature is in terms of passing laws, the state legislature not the local legislature. But as far as state agencies being exempt, I think you need an opinion some day. If they are not exempt or excluded then they will have to follow SEQRA, comply with SEQRA and comply with local zoning unless there is an opinion otherwise."

Member Cardinale: "But by this decision, I have no problem making a decision that the conveyance does not require a draft environmental impact statement- "

Rick Hanley: "Right. I think that's very clear."

Member Cardinale: "But, I have some problem with making a decision that there is no draft environmental impact statement required for a 17,000 square foot building in the wrong zone."

Rick Hanley: "That might be a good question to ask them at the hearing since they'll be here, the sponsor, I imagine, and they might have some answers for you in terms of (inaudible) situations elsewhere in the state, what was done under SEQRA and what was zoning at that time. Because this resolution tonight is merely calling a public hearing. The SEQRA is supporting that."

Chairman Kozakiewicz: "That's correct."

Rick Hanley: "And I think those are reasonable questions to ask because we don't have some of these answers."

Member Cardinale: "Okay. Specifically on the second resolution on the first- on the one we're considering and are about to vote on, it says the CDA determines that the proposed conveyance is in conformance with the findings statement which we just discussed- "

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Rick Hanley: "Yes."

Member Cardinale: "-- and further determines the conveyance to be considered unlisted and does not pose a significant impact to the natural and social environment and that a supplemental environmental impact statement is not required."

Rick Hanley: "For the conveyance."

Chairman Kozakiewicz: "The conveyance."

Member Cardinale: "Okay. As long as not for the construction."

Rick Hanley: "Right."

Member Cardinale: "Okay."

Rick Hanley: "And that is for the conveyance."

Member Cardinale: "Right. In that instance, if that's what we're voting on, I vote yes."

The Vote (Cont'd.): "Kent."

Member Kent: "As much as this is just a transfer or a SEQRA determination on the transfer of the property, on the conveyance itself, I don't have a problem with this resolution. However, it does not state the location of the 50 acres which I think has some impact on the SEQRA determination of the construction of the building itself. This resolution as it is written and for its purposes, I vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #29

Andrea Lohneiss: "The second resolution, #29, calls for a public hearing on October 17th on the designation of the- "

Chairman Kozakiewicz: "It's November 8th."

Andrea Lohneiss: "November 8th, that's right. On the designation of Stony Brook as a sponsor for redevelopment."

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Member Lull: "Just for clarity, please. There is a proposal for designated- designating the State University of New York at Stony Brook as a qualified and eligible sponsor for the redevelopment of this property as part of the Millennium Technology Center being developed by Stony Brook and specifically by the construction of a facility to incubate small businesses pursuing research and technology development in the fields of aquaculture, agriculture, and the environment. And the agency, the CDA, now desires to call a public hearing on that designation of Stony Brook as the sponsor and we designate that public hearing to be held November 8th at 7:05 p.m. So moved."

Member Densieski: "Second."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Member Cardinale: "This- the first paragraph does indicate the location contemplated which is approximately 900 feet of road frontage along New York 25 beginning approximately 200 feet east of the intersection of 25A and 25. I have spoken to the Supervisor and other members of the Board of my concern about this location being prime, prime property and that another location off of Grumman Blvd. would be a preferred location. I, however, feel that since we're calling for a public hearing here only that it is appropriate to bring the public into this discussion. I know at least two members of the Board feel this is not an appropriate location and for purposes of moving this on, I'm going to vote yes for the public hearing but I'm hopeful that people will come out and we'll discuss this issue. This is important."

Under this proposal, we're giving \$2,000,000 worth of land free to the State of New York and we're allowing them to build a large 17,000 square foot building where there will never be a tax coming off that building so that it's an important proposition. And the concept may be good because there are great benefits, but the location is really a subject still of some concern to me and I know to other members of the Board. I vote yes for the hearing. I urge people to come to it."

The Vote (Cont'd.): "Kent."

Member Kent: "I'm sorry, I should have brought up for discussion here. I'm concerned about a couple of the language in a couple of places. In the seventh Whereas clause which is on the third

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page. It goes beyond the SEQRA analysis which we just made by the prior resolution. It says that not only have we determined the transfer but we've also determined the redevelopment of the property to be an unlisted action. The implication of which we determine would not have any result in any significant environmental effects.

I think that overstates what we just did in the prior resolution. I think we might want to review the language and such redevelopment. Either that or we should say that the redevelopment- that we determine that the proposed redevelopment is exempt from any- from the required environmental analysis. That's really what we have found, that the redevelopment is exempt, not that it's not going to have any impact.

We're saying in here that it's got no environmental impact. I don't know if we want to go beyond what we did in our- "

Chairman Kozakiewicz: "We- we- I'm just going to go by some notes that I pulled out of the master plan, the reuse plan which was the full blown effort at restudying this property and determining whether it should be used for certain type of things. On page 16 in the area marked industrial and office markets, other efforts such as film studios or a natural resource based incubator initiative which has been specifically contemplated for Calverton can provide a valuable foundation for the site's industrial activities.

Page 21, a master development plan vision. Calverton's industrial potential may rest in part technologies built upon fishing and farming strength of the east end and with the film production activities emerging in the area.

Page 23, conceptual development plan. Industrial business park. With this designation, such uses as aircraft maintenance, business incubator and movie production facilities may be accommodated.

Page 29, the Calverton business incubator. An extensive feasibility study has been prepared to develop a business incubator at the Calverton site. The focus of this study is agriculture, aquaculture and environmental industries consistent with the site's east end location. The proposed reuse strategy could accommodate an incubator use and, in fact, such a use would be an outstanding resource for the reuse effort.

Clearly securing state funding for development and operation of such a facility will require considerable effort. And the use is unlikely to generate substantial revenue for the overall reuse effort.

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Still recent initiatives by the Empire State Development Corporation to encourage incubator state-wide including on Long Island representing useful foundation for pursuing the necessary support. Such a use should be encouraged at Calverton.

Page 49, early site uses such as a business incubator or film production facility can be used as sub-agents and it clearly was discussed at a number of different points in that reuse plan which is what I think the Planning Director, Mr. Hanley, was trying to point out and I think it was contemplated as part of that extensive process."

Member Kent: "I don't have a problem with the use. I have a problem with the location. I think if we're going to take recreational property which is- actually, the property is proposed for this reuse. It's potentially the most prime piece of property on the site. If the roads develop the way they have planned them to develop, this would be the corner of 25, 25A and what has been proposed to be an entry, curb way into the site, which would be four lanes with a center median. This parcel on the east side of that roadway would be prime location for a use that could command top dollar. And so I agree with the use- I agree with the incubator."

Member Densieski: "Chris, excuse me. Shouldn't this- no, excuse me, let me finish."

Member Kent: "I agree with the incubator use on the site. I think it's an excellent- I sat in on the meeting. I thought it was an excellent use of property at Calverton. I just don't agree with this location. It's an optimum one. However, I could be- I could be convinced otherwise. What I would suggest, is that we have further meetings with Stony Brook to discuss alternative sites and if that doesn't prove fruitful that they demand this site and this site is the only one they can work on, that's a different statement to be addressed."

At this point, I haven't heard that from them and we don't have to pass this tonight. I spoke to our counsel. We have- we could do this on October 17th and still have it on November 8th. I don't see the rush to pass this posting of a public hearing for our November 8th night on October 3rd when we could do it on October 17th or we could even do it later than October 17th. It only requires 10 days prior notice.

So, I mean, if push comes to shove and I'm told later on that

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they're not going to come to the site unless they can have this location, I would probably vote for this location. Even though I think that would be- may not be the right thing to do but I haven't even heard that from them. All I've heard is that they're interested in coming to the site. We have 2,900 acres we have still available to us other than this site, at least 2,000 other acres that could be used. I don't understand this site, why this site, this site only."

Chairman Kozakiewicz: "There are other proposals which could eat up a great deal of the other portion that's available. One of them was mentioned tonight by the Calverton Civic- Greater Calverton Civic Association, that is the Wilpon proposal. That's one of the reasons the location migrated to where it is today and the reason why we placed the resolution on to go forward.

With regard to whether we could put this on for public hearing at the next meeting, I also spoke to our counsel from Manhattan with regard to that and he also added a caveat or additional comment to that, that is this is somehow affected by the funding and the ability to get that state assistance, then that was something that he was not aware of and something that could be critical to the Board's review.

This money had been budgeted in prior state budgets and, in fact, it's at a point where there needs to be a decision made or this funding, this \$3,000,000 that has been promised to bring this particular incubator out from the west to this particular property is- will be lost. And, in fact, it will go to another Senator or to another location. Stony Brook is a renowned university. Their ability to be attracted to the site is something that I think we should welcome. I think will give us more information on November 8th when we have a chance to hear them present themselves at the hearing and as I mentioned, if we don't act, I think we're taking a big risk of losing this particular site and this funding."

Member Densieski: "Sir, I just would like to add that I wish the previous administration spent as much time on the 472 acres as they are with this 50 acres."

Member Kent: "Well, let me tell you, Ed, the previous administration- "

Chairman Kozakiewicz: "All right, guys, we're- "

Member Kent: "No, that's the kind of a statement that- "

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Chairman Kozakiewicz: "This is getting offhand. Let's adjourn. I want to move for an adjournment at this point in time- "

Member Densieski: "We didn't get to vote yet."

Member Lull: "We're in the middle of a vote, Bob."

Chairman Kozakiewicz: "Well, let's finish the vote then. Enough commentary. Chris, do you want to vote for it or do you not wish to vote for it?"

Member Kent: "Excuse me, I think that that statement needs to be responded to. We spent 18 months on the prior- on the 472 acre deal and before our 18 months, the prior Town Board spent at least two years on getting the Calverton property ready to be conveyed. So your glib statements such as that are really uncalled for. And I thought your campaign was to not give away property. We were- we're getting \$17,000,000 for that piece. This is a giveaway. This is not only a giveaway-- "

Chairman Kozakiewicz: "Well, if you're voting- "

Member Kent: "You know what? It's a giveaway that has not been opposed."

Chairman Kozakiewicz: "Councilman Kent."

Member Kent: "Because I think it's a good reuse of the property."

Chairman Kozakiewicz: "It was discussed in the master plan."

Member Kent: "It provides no up front capital. It provides no taxes and we'll see whether it provides any real successful jobs. I'm not even sure whether the local people will get jobs out of it. It might provide some jobs for people from out of town but- and it may provide jobs for people from town. I think it's a good reuse of the property and I'm willing to do this. But these kind of comments- "

Member Densieski: "Chris- "

Member Kent: "For \$17,000,000- "

Chairman Kozakiewicz: "Let's act up on the resolution that's before us rather not- "

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Member Cardinale: "Before we do that- "

Chairman Kozakiewicz: "Rather than get really into this, guys, let's take the vote up."

Member Cardinale: "Well, Chris was making an amendment and I want to remind you of something I just- the amendment is on the Whereas clause on the third page and I'm really concerned- "

Chairman Kozakiewicz: "Well, let's take up- if he's moving the amendment. Is there a second for the amendment? Let's move this along, guys."

Member Kent: "I'm concerned that the redevelopment- if we're finding that the redevelopment has no environmental impact or just the transfer. Our resolution-- on the SEQRA resolution prior that we just passed, talks about the transfer only. This resolution now makes determinations with regard to the redevelopment of the property. And, maybe we should strike that. I don't know if we did strike that, we could discuss it- "

Chairman Kozakiewicz: "This was prepared by Manhattan counsel. I would- I mean is there a second to amend it? If there is, let's take up the vote."

Member Cardinale: "I would ask that- "

Chairman Kozakiewicz: "And see if we have a motion to amend. And then let's resume the vote."

Member Cardinale: "I should get my vote back on the last one because what this resolution says is- "

Chairman Kozakiewicz: "Gentlemen, gentlemen, is there a second on the vote to amend?"

Member Cardinale: "Yes, second right here for the- "

Chairman Kozakiewicz: "Okay, motion and a second to amend that seventh Whereas clause."

Member Cardinale: "Okay. Do you know how you're amending it?"

Chairman Kozakiewicz: "That's what I'm going- "

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Member Kent: "The notice itself would be amended also- "

Chairman Kozakiewicz: "To- what are we proposing?"

Member Kent: "Just strike out the redevelopment of the property to be an unlisted action."

Chairman Kozakiewicz: "Okay."

Member Kent: "I think that's to be determined whether that's an action- "

Chairman Kozakiewicz: "Let's take up the vote."

Andrea Lohneiss: "On the amendment."

Member Densieski: "No."

Member Kent: "Yeah, motion to amend the resolution to strike the words and such redevelopment to be an unlisted action."

Andrea Lohneiss: "On the amendment, Densieski, no; Cardinale."

Member Cardinale: "I won't indicate that I'm completely amazed that there could be any no vote on this since a moment ago this Board was told by its Planning Director that the SEQRA determination was on the conveyance or transfer only. The language we are seeking to amend here simply conforms the language in the second resolution to what we were just told. So if, in fact, they decline to remove the word redevelopment, we, have just been snookered by which I mean not only the people who voted on the first resolution but everybody in the public. Either the SEQRA determination is on the conveyance alone which we were just told or it is on the conveyance and the redevelopment. So I vote yes to conform this resolution to the last resolution."

The Vote (Cont'd.): "Kent, yes; Lull, no; Kozakiewicz, no."

Andrea Lohneiss: "The resolution- the motion to table fails."

Chairman Kozakiewicz: "No, motion to amend."

Member Kent: "Motion to amend."

Andrea Lohneiss: "All right. Continue the vote on the

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resolution prior to the amendment."

Chairman Kozakiewicz: "Yes, please."

Andrea Lohneiss: "I have a yes vote from Densieski and a yes vote from Cardinale."

Member Kent: "Okay, now I have a question of the Supervisor. Because I want to go back to our discussion. I was just really having a discussion about the impact this project would have on the site. Now, you're telling me that the state financing is in jeopardy if we don't move forward- "

Chairman Kozakiewicz: "I am told that we have to have an answer to Mr. LaValle because this has been in the budget for two years. This is the third year, and if he doesn't have the ability to make an announcement by next Tuesday, they are prepared to pull the money from the site and give it to another Senator. That's what I've been told."

Member Cardinale: "It's amazing that every vote is a crisis with this Board."

Chairman Kozakiewicz: "We're in the middle of a vote, Phil."

Member Kent: "Well, inasmuch as- "

Chairman Kozakiewicz: "That's what I've been told and I am not-reaffirmed it."

Member Kent: "-- we have not received that information, I mean I haven't and I don't believe the resolution should go forward with the language about the redevelopment, I'm going to abstain for lack of sufficient information provided to us by the State with regard to the emergency need to publish this public- to pass this resolution to publish a public notice 35 days- 36 days before the public hearing. I don't really understand the need and the emergency. And why we couldn't have another meeting with the Senator and with Stony Brook representatives to iron out some of the minor concerns but which could turn out to be major problems in the future. So I'll abstain at this time."

The Vote (Cont'd.): "Lull, yes."

Member Lull: "We'll continue to have those meetings and we'll get it straightened out but at this particular time, paralysis by

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analysis is not necessary. We need to move forward and not lose the money. Yes."

The Vote (Cont'd.): "Kozakiewicz."

Chairman Kozakiewicz: "Just as a little back drop. On August 4th we had a meeting with representatives from Stony Brook. They talked about this particular project. At that point in time, all of the Town Board members seemed united as far as going forward with it. They indicated they would want road frontage or road access and, again, there was no comments to indicate that that was a bad idea or something that was terribly flawed. That was August 4th. It's now October 3rd and at that point in time, again, not hearing any comment to the contrary, discussions continued with the State. We received a letter from Stony Brook, a letter dated September 12th, 2000, from Shirley Stromkenny (phonetic) which I shared with the Town Board to indicate that they were interested in moving forward with this project. I vote yes."

Andrea Lohneiss: "The resolution is adopted."

Chairman Kozakiewicz: "Any further business with the CDA?"

Andrea Lohneiss: "No."

Chairman Kozakiewicz: "The time of 8:16 having arrived."

Meeting closed: 8:16 p.m.

Barbara Lathan
Town Clerk

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Town of Riverhead Community Development Agency

Resolution # 28

Declares Lead Agency and Determines Unlisted Action With Regard to Proposed Conveyance of Land to State University of New York at Stony Brook

Member COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by Member COUNCILMAN LULL

WHEREAS, the Riverhead Community Development Agency (CDA) is in receipt of a proposal from the State University of New York at Stony Brook (Stony Brook) to be designated as a qualified and eligible sponsor pursuant to Section 507(2)(d) of the General Municipal Law in order to allow the conveyance of a 50 +/- acre area of real property owned by the CDA at Calverton, New York to encourage the development of a 17,000 square foot building and associated site improvements in order to "incubate" small businesses pursuing research and technology development in the fields of aquaculture and agriculture; and

WHEREAS, the Town of Riverhead, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the New York State Department of Environmental Conservation (DEC) has by Resolution Number 614 of 1998 accepted a Final Generic Environmental Impact Statement upon the redevelopment of the subject real property and has further adopted a Finding Statement contemplating the conveyance of a portion of the real property for business "incubator" use; and

WHEREAS, the CDA) is in receipt of an Environmental Assessment Form describing the action and identifying impacts associated with such contemplated conveyance; and

WHEREAS, the Planning Department has recommended that the proposed action be considered unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared; and

WHEREAS, the CDA has carefully considered the merits of the proposal of Stony Brook, the SEQRA record created to date, the report of the Planning Department, as well as all other relevant planning, zoning and environmental information.

THEREFORE, BE IT RESOLVED, that in the matter of the conveyance of 50 +/- acres of CDA-owned property for the furtherance of the construction of a 17,000 square foot business "incubator," the Riverhead CDA hereby declares itself the Lead Agency.

AND BE IT FURTHER RESOLVED, that the CDA determines that the proposed conveyance is in conformance with such aforementioned Findings Statement and further determines that the conveyance is considered an unlisted action that does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss, IDA Director Monique Gablenz and Planning Director Richard Hanley.

The Vote:

Member Densieski	<u>yes</u>
Member Cardinale	<u>yes</u>
Member Kent	<u>yes</u>
Member Lull	<u>yes</u>
Chairman Kozakiewicz	<u>yes</u>

THE VOTE

Densieski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON BEING ADOPTED

Adopted

RESOLUTION # 29

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 3, 2000, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Kozakiewicz and upon roll being called, the following were

PRESENT: Supervisor Robert F. Kozakiewicz
Councilman Edward Densieski
Councilman Philip Cardinale
Councilman Chris Kent
Councilman James Lull

Town Clerk Barbara Grattan
Town Attorney Dawn Thomas

ABSENT:

The following resolution was offered by Member COUNCILMAN LULL, who moved its adoption, seconded by Member COUNCILMAN DENSIESKI, to-wit:

RESOLUTION DATED OCTOBER 3, 2000.

A RESOLUTION CALLING A PUBLIC HEARING ON THE AGENCY'S DESIGNATION OF THE STATE UNIVERSITY OF NEW YORK AT STONY BROOK AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY FIFTY ACRES OF LAND, AND FOR THE TRANSFER BY THE AGENCY OF SUCH PROPERTY TO THE TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY, AS AGENT OF AND FOR THE STATE UNIVERSITY OF NEW YORK AT STONY BROOK.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of a certain parcel of land of 50 acres located within the Enterprise Park at Calverton with approximately 900 feet of road frontage along New York State Route 25 beginning approximately 200 feet east of the intersection of New York State Route 25A and New York State Route 25, Calverton (the "Property"); and

WHEREAS, there has been submitted to the Agency a proposal (the "Proposal") for, or in connection with, and the Agency is considering, (i) designating the State University of New York at Stony Brook ("Stony Brook") the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of the Property, (ii) transferring the Property, for no monetary consideration, pursuant to Sections 507(2)(d) and 556(2) of the General Municipal Law, to the Town of Riverhead Industrial

Development Agency (the "IDA"), as agent of and for Stony Brook, (iii) the redevelopment of a portion of the Property by the IDA, as agent of and for Stony Brook, as part of the Millennium Technology Center being developed by Stony Brook and, specifically, by the construction of a facility or facilities to "incubate" small businesses pursuing research and technology development in the fields of aquaculture, agriculture and environment (the "Business Incubator"); and (iv) the future redevelopment of the remainder of the Property by Stony Brook in a manner consistent with Stony Brook's education mission; and

WHEREAS, in accordance with the Proposal, the IDA intends to cause the Business Incubator to be constructed for Stony Brook and will pay construction costs with the proceeds of a State grant to the IDA made for such purposes; and

WHEREAS, in accordance with the Proposal, upon completion of construction of the Business Incubator the IDA's interest in the property and in the Business Incubator will terminate and full title thereto will rest in Stony Brook; and

WHEREAS, in accordance with the Proposal, Stony Brook intends to cause the Business Incubator to be operated by either The Research Foundation of State University of New York (the "Research Foundation") or by a not-for-profit corporation to be created by the Research Foundation for such purposes; and

WHEREAS, Sections 507(2)(d) and 556(2) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Stony Brook the Sponsor for the redevelopment of the Property and transferring the Property to the IDA as agent of and for Stony Brook; and

WHEREAS, the Town Board of the Town of Riverhead as governing body of the Community Development Agency, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") declared itself "lead agency" for the transfer and redevelopment of the Property by the construction of the Business Incubator, the Town has concluded its SEQRA analysis with respect to the transfer and redevelopment of the Property by the construction of the Business Incubator and has determined the transfer and such redevelopment of the Property to be an Unlisted Action pursuant to SEQRA, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, the Agency now desires to call a public hearing on the designation of Stony Brook as the Sponsor for the redevelopment of the Property in the manner described herein and

the transfer of the Property by the Agency to the IDA as agent of and for Stony Brook; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, will attend such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on November 8, 2000 at 7:05 o'clock P.M., Prevailing Time, on the question of designating Stony Brook the Sponsor for the redevelopment of the Property and the transfer of the Property by the Agency to the IDA as agent of and for Stony Brook, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Secretary of the Agency is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the *News Review*, the newspaper hereby designated as the official newspaper for this purpose and one having general circulation in, and available to residents of, the Town, such publication to be made not less than ten days before the date designated for the hearing. The Secretary is hereby further authorized and directed to cause a

copy of such Notice of Public Hearing to be posted in such places as she deems appropriate under the circumstances, such posting to be done not less than ten days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached:

NOTICE OF PUBLIC HEARING

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY,
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), will meet at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on November 8, 2000, at 7:05 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on whether the State University of New York at Stony Brook ("Stony Brook"), should be designated the "qualified and eligible sponsor" for the redevelopment of a parcel of land of 50 acres located within the Enterprise Park at Calverton with approximately 900 feet of road frontage along New York State Route 25 beginning approximately 200 feet east of the intersection of New York State Route 25A and New York State Route 25, Calverton (the "Property"), and whether the Property should be transferred, for no monetary consideration, to the Town of Riverhead Industrial Development Agency (the "IDA"), as agent of and for Stony Brook, for redevelopment of a portion of the Property by the IDA, as agent of and for Stony Brook, as part of the Millennium Technology Center being developed by Stony Brook and, specifically, by the construction of a facility or facilities to "incubate" small

businesses pursuing research and technology development in the fields of aquaculture, agriculture and environment (the "Business Incubator") and for future redevelopment of the remainder of the Property by Stony Brook in a manner consistent with Stony Brook's educational mission.

The IDA intends to cause the Business Incubator be constructed for Stony Brook and to pay construction costs with the proceeds of a State grant made to the IDA for such purpose. Upon completion of construction of the Business Incubator, the IDA's interest in the Property and the Business Incubator will terminate and full title thereto will vest in Stony Brook. Stony Brook intends to cause the Business incubator to be operated by either The Research Foundation of State University of New York (the "Research Foundation") or by a not-for-profit corporation to be created by the Research Foundation for such purposes.

The Town Board of the Town of Riverhead as governing body of the Community Development Agency, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") declared itself "lead agency" for the transfer and development of the Property by the construction of the Business Incubator, the Town has concluded its SEQRA analysis with respect

to the transfer and such redevelopment of the Property and has determined the transfer and such redevelopment of the Property to be an Unlisted Action pursuant to SEQRA, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects.

At said public hearing the Members of the Agency will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
October 3 _____, 2000

BY ORDER OF THE MEMBERS OF THE TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY, TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NEW YORK

By Andrea Lohneiss
Secretary

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

_____ VOTING.
_____ VOTING
_____ VOTING
_____ VOTING
_____ VOTING

The resolution was thereupon declared duly adopted.

* * * *

Councilman Kent offered the following resolution to be amended, which was seconded by Councilman Cardinale.

Councilman Densieski	<u>no</u>	Councilman Cardinale	<u>yes</u>
Councilman Kent	<u>yes</u>	Councilman Lull	<u>no</u>
Supervisor Kozakiewicz	<u>no</u>		

The resolution was voted down to be amended.

Councilman Lull offered the following resolution, which was seconded by Councilman Densieski.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ABSTAIN Kent	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on October 3 _____, 2000, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

News Review

October 3, 2000

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

Town Board Bullentin Board

October 4, 2000

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on October 3, 2000.

Andrea Lohneiss

Secretary

(CORPORATE
SEAL)